<u>ED STATES PATENT AND TRADEMARK OFFICE</u>

Applicants:

S. Smeekens et al.

Attorney Docket No.: ARNO114646

Application No.: 09/423,575

Group Art Unit: 1656

Filed:

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Examiner: S. Chunduru

Title:

PLANT GENE CONSTRUCTS AND THEIR USE

AMENDMENT A AND RESPONSE TO PAPER NO. 9

Seattle, Washington 98101

July 1, 2002

TO THE COMMISSIONER FOR PATENTS:

In response to the Examiner's action mailed February 4, 2002, please amend the aboveidentified application as follows.

In the Claims:

Please amend Claim 1 as shown below:

(Amended) A process for modifying flowering in plants comprising transforming 1. the plants with a construct comprising a complete or partial DNA sequence coding for an ATH1 gene product under the control of a promoter functional in plants, wherein the gene product modifies flowering in plants.